

IN THE SENATE

SENATE BILL NO. 1050

BY EDUCATION COMMITTEE

AN ACT

RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1620, IDAHO CODE, RELATING TO THE MASTERY ADVANCEMENT PROGRAM; REPEALING SECTION 33-1621, IDAHO CODE, RELATING TO APPLICATION TO PARTICIPATE IN PROGRAM; REPEALING SECTION 33-1622, IDAHO CODE, RELATING TO PROGRAM ASSESSMENT AND STUDENT ASSESSMENT; REPEALING SECTION 33-1623, IDAHO CODE, RELATING TO STUDENT ADVANCEMENT, DUAL CREDIT, EARLY GRADUATION, MASTERY ADVANCEMENT SCHOLARSHIP AND RESIDUAL SAVINGS; REPEALING SECTION 33-1626, IDAHO CODE, RELATING TO ADVANCED OPPORTUNITIES; REPEALING SECTION 33-1628, IDAHO CODE, RELATING TO THE "8 IN 6 PROGRAM"; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 33, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR ADVANCED OPPORTUNITIES, TO PROVIDE FOR THE "8 IN 6 PROGRAM," TO PROVIDE FOR THE MASTERY ADVANCEMENT PROGRAM AND TO PROVIDE RULEMAKING AUTHORITY; AND AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Sections [33-1620](#) through [33-1623](#), Idaho Code, be, and the same are hereby repealed.

SECTION 2. That Section [33-1626](#), Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Section [33-1628](#), Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 46, Title 33, Idaho Code, and to read as follows:

CHAPTER 46
ADVANCED OPPORTUNITIES

33-4601. DEFINITIONS. For purposes of this chapter, the following definitions shall apply:

- (1) "Credit" means middle or high school credit.
- (2) "Dual credit" as defined in section 33- 5102, Idaho Code.
- (3) "Full course load" means at least twelve (12) credits per school year for grades 7-12.
- (4) "Overload course" means a course taken that is in excess of a full course load, including summer courses.
- (5) "Parent" means parent or parents or guardian or guardians.
- (6) "Public schools" means an Idaho school district, charter school or Idaho tribal school.

1 (7) "School year" means the normal school year that begins upon the con-
 2 clusion of the break between grades and ends upon the beginning of the same
 3 break of the following year.

4 33-4602. ADVANCED OPPORTUNITIES. (1) Students attending public
 5 schools in Idaho and completing all state high school graduation require-
 6 ments at any time prior to the beginning of their final twelfth grade
 7 semester or trimester term, except the senior project and any other course
 8 that the state board of education requires to be completed during the final
 9 year of high school, shall be eligible for assistance in paying for:

10 (a) Dual credit courses, up to eighteen (18) credits per semester term
 11 or twelve (12) credits per trimester term of postsecondary credits.
 12 Average daily attendance shall be counted as normal for participating
 13 students for public school funding purposes. The state department of
 14 education shall distribute funds from the moneys appropriated for the
 15 educational support program to defray the per credit cost charged for
 16 such dual credit courses by a postsecondary educational institution
 17 accredited by an organization recognized by the state board of educa-
 18 tion. The amount so distributed shall not exceed seventy-five dollars
 19 (\$75.00) per credit hour.

20 (b) Advanced placement or other college credit-bearing or professional
 21 certificate examinations, up to six (6) examinations per semester or
 22 four (4) per trimester. The state department of education shall dis-
 23 tribute funds from the moneys appropriated for the educational support
 24 program to defray the examination cost charged. The amount so dis-
 25 tributed shall not exceed ninety dollars (\$90.00) per examination.

26 (2) Any student attending public school in Idaho who has not qualified
 27 pursuant to subsection (1) of this section shall qualify for a course fee
 28 payment as follows:

29 (a) Any student who has attained grade 11 shall qualify for an amount
 30 equal to the amount necessary to cover the dual credit fee set by the
 31 state board of education for up to three (3) postsecondary semester or
 32 equivalent credits and examinations pursuant to subsection (1)(b) of
 33 this section. The combined amount for such credits earned and exami-
 34 nations shall not exceed the dual credit fee set by the board for those
 35 credits.

36 (b) Any student who has attained grade 12 shall qualify for an amount
 37 equal to the amount necessary to cover the dual credit fee set by the
 38 state board of education for up to six (6) postsecondary semester or
 39 equivalent credits and examinations described pursuant to subsection
 40 (1)(b) of this section. The combined amount for such credits earned and
 41 examinations shall not exceed the dual credit fee set by the board for
 42 those credits.

43 These moneys may be used to pay an amount not to exceed the price to the stu-
 44 dent of such courses and examinations pursuant to the limitations stated in
 45 this subsection. Payments made under this subsection shall be made from the
 46 moneys appropriated for the educational support program. No later than Jan-
 47 uary 15, the state department of education shall annually report to the edu-
 48 cation committees of the senate and house of representatives details regard-
 49 ing the number of students benefitting from assistance with the cost of dual

1 credit courses and examinations, the number of credits awarded and amounts
2 paid pursuant to this subsection during the previous school year.

3 (3) The state department of education shall reimburse school dis-
4 tricts, charter schools or public postsecondary educational institution,
5 as applicable, for such costs, up to the stated limits, within one hundred
6 twenty-five (125) days of receiving the necessary data upon which reimburse-
7 ments may be paid. If a student fails to earn credit for any course or exami-
8 nation for which the department has paid a reimbursement, the student must
9 pay for and successfully earn credit for one (1) such course or examination
10 before the department may pay any further reimbursements for the student.

11 (4) The state department of education shall reimburse community col-
12 leges or counties, as applicable, for any out-of-district county tuition
13 payments that would otherwise be made by a county to a community college
14 pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in an
15 amount not to exceed fifty dollars (\$50.00) per credit hour and only for dual
16 credit courses taken pursuant to this section.

17 (5) Policies and procedures for participating in the program estab-
18 lished by the public school must be such that students have an opportunity
19 to participate in the program and meet district established timelines and
20 requirements for financial transactions, transcribing credits and state
21 department of education reporting.

22 33-4603. "8 IN 6 PROGRAM." (1) A program is hereby established in the
23 state department of education to be known as the "8 in 6 program."

24 (2) The "8 in 6 program" encourages completion of high school and the
25 first two (2) years of college or professional-technical preparation in six
26 (6) years instead of eight (8) years, and is accomplished by taking overload
27 courses in addition to a full course load.

28 (3) Participation in the "8 in 6 program" requires parent and student
29 agreement to program requirements and completion of the state department of
30 education's participation form documenting the program requirements. Par-
31 ticipation requirements are as follows:

32 (a) The student take and successfully complete dual credit or profes-
33 sional-technical education courses for at least a portion of the stu-
34 dent's courses during the eleventh and/or twelfth grade years, provided
35 that funding for this requirement will not be provided by the "8 in 6
36 program"; and

37 (b) The student take and successfully complete a full course load and at
38 least one (1) overload course each year.

39 (4) For all students meeting the participation requirements, the state
40 shall pay for:

41 (a) The lesser of the actual cost of each one (1) credit overload course
42 or two hundred twenty-five dollars (\$225);

43 (b) No more than two (2) credits of overload courses per student per
44 semester;

45 (c) No more than four (4) credits of overload courses per student per
46 school year; and

47 (d) No more than eight (8) credits of overload courses per student to-
48 tal.

(5) Public schools shall establish timelines and requirements for participation in the program, including implementing procedures for the appropriate transcription of credits, reporting of program participation and financial transaction requirements. Public schools shall make reasonable efforts to ensure that any student who considers participating in the program considers the challenges and time necessary to succeed in the program. Such efforts by the district shall be performed prior to a student participating in the program. Policies and procedures for participating in the program established by the public schools must be such that students have an opportunity to participate in the program and meet district established timelines and requirements for financial transactions, transcribing credits and state department of education reporting.

(6) Eligible courses. To qualify as an eligible course for the program, the course must be one offered by a provider accredited by the organization that accredits Idaho high schools and be taught by an individual certified to teach the grade and subject area of the course in Idaho.

(7) Parents of participating students may enroll their child in any eligible course, with or without the permission of the public school, with the exception of tribal schools, in which the student is enrolled, up to the course enrollment limits provided for in subsection (2) of this section. Tribal school students must follow their schools' enrollment policies and procedures. Public school personnel shall assist parents in the process of enrolling students in such courses. Each participating student's transcript at the public school at which the student is enrolled shall include the credits earned and grades received by the student for any overload courses taken pursuant to this section. For an eligible course to be transcribed as meeting the requirements of a core subject as identified in Idaho administrative rule, the course must meet the approved content standards for the applicable subject and grade level.

33-4604. MASTERY ADVANCEMENT PROGRAM. (1) The mastery advancement program permits students in Idaho public schools to work at their own pace and complete classes or years of school at an accelerated pace.

(2) Application to participate in program. Any public school may participate in the mastery advancement program by submitting a completed application to the state department of education on a form established by the department. Any public school that submits a completed application shall be allowed to participate in the program.

(3) Program assessment -- student assessment.

(a) Every participating public school shall measure participating student performance and achievement. Performance and achievement measures shall include, but not be limited to, standardized test scores of participating students, successful completion of courses and program participation dropout rates. The performance and achievement measures provided for in this subsection shall be reported to the state department of education by June 30 each year. The state department of education shall adopt end-of-course assessments for all core subject areas for grades 7-12 and appropriate benchmarks for grades 1-6.

(b) Students may request to take an end-of-course assessment by completing a form provided by the state department of education. The stu-

1 dent's request shall be made pursuant to collaboration between the stu-
2 dent, the student's teachers, the school administration and the stu-
3 dent's parents or guardians.

4 (c) In order to receive credit for the course, the student shall score
5 no less than eighty-five percent (85%) on the end-of-course assessment.

6 (i) When a student enrolled in grades 7-12 successfully passes an
7 end-of-course assessment as provided in this paragraph, the stu-
8 dent shall be counted as having completed all required coursework
9 for that course and the school, with the exception of Idaho tribal
10 schools, shall be funded for such student based upon either the ac-
11 tual hours of attendance or the course that the student has suc-
12 cessfully passed, whichever is more advantageous to the school, up
13 to the maximum of one (1) full-time equivalent student.

14 (ii) When a student enrolled in grades 1-6 successfully completes
15 a benchmark as provided in this paragraph, the student shall be
16 counted as having completed all required coursework for that grade
17 and the school shall be funded for such student, based upon either
18 the actual hours of attendance or the grade that the student suc-
19 cessfully passed, whichever is more advantageous to the school, up
20 to the maximum of one (1) full-time equivalent student.

21 (4) Student advancement -- mastery advancement program -- residual
22 savings.

23 (a) Any student who successfully completes a public school's grades
24 1-12 curriculum at least one (1) year early shall be eligible for a mas-
25 tery advancement scholarship regardless of whether the public school
26 participates in the mastery advancement program, if such student can
27 show that they have met all state and public school graduation require-
28 ments and attended an Idaho public school for at least four (4) years.
29 Students who have attended an Idaho public school for less than four (4)
30 years and who have completed all graduation requirements are eligible
31 to receive a mastery advancement scholarship at a reduced rate not to
32 exceed one (1) semester of scholarship for each year of Idaho public
33 school attendance.

34 (b) A participating student is not required to graduate early and may
35 choose to participate in dual credit or advanced placement classes as is
36 the current practice.

37 (c) Mastery advancement scholarships may be used for tuition and
38 fees at any Idaho public postsecondary educational institution. The
39 amount of the scholarship shall equal thirty-five percent (35%) of the
40 statewide average daily attendance-driven funding per enrolled pupil
41 for each year of grades 1-12 curriculum avoided by the student's early
42 graduation. Each participating school district or charter school shall
43 receive an amount equal to each such awarded scholarship.

44 (d) The state department of education shall annually report no later
45 than January 15 to the education committees of the senate and house of
46 representatives, the number of scholarships awarded pursuant to this
47 program during the previous school year by public schools. The report
48 shall also include a fiscal note reflecting the amount of moneys ex-
49 pended for such scholarships.

(e) No student shall be eligible for more than three (3) years of a mastery advancement scholarship.

(f) Participating school districts and charter schools are directed to collaborate with Idaho public postsecondary educational institutions to assist students who seek to graduate from high school early in enrolling in postsecondary courses. Participating school districts, charter schools and Idaho public postsecondary educational institutions shall report to the state board of education and the education committees of the senate and house of representatives any difficulties or obstacles they face in providing assistance to participating students.

33-4605. RULEMAKING AUTHORITY. The state board of education may promulgate rules to implement the provisions of this chapter.

SECTION 5. That Section 33-1002, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program is calculated as follows:

(1) State Educational Support Funds. Add the state appropriation, including the moneys available in the public school income fund, together with all miscellaneous revenues to determine the total state funds.

(2) From the total state funds subtract the following amounts needed for state support of special programs provided by a school district:

(a) Pupil tuition-equivalency allowances as provided in section 33-1002B, Idaho Code;

(b) Transportation support program as provided in section 33-1006, Idaho Code;

(c) Feasibility studies allowance as provided in section 33-1007A, Idaho Code;

(d) The approved costs for border district allowance, provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;

(e) The approved costs for exceptional child approved contract allowance, provided in subsection 2. of section 33-2004, Idaho Code, as determined by the state superintendent of public instruction;

(f) Certain expectant and delivered mothers allowance as provided in section 33-2006, Idaho Code;

(g) Salary-based apportionment calculated as provided in sections 33-1004 through 33-1004F, Idaho Code;

(h) Unemployment insurance benefit payments according to the provisions of section 72-1349A, Idaho Code;

(i) For expenditure as provided by the public school technology program;

(j) For employee severance payments as provided in section 33-521, Idaho Code;

(k) For distributions to the Idaho digital learning academy as provided in section 33-1020, Idaho Code;

(l) For charter school facilities funds and reimbursements paid pursuant to section 33-5208(5), Idaho Code;

(m) For an online course portal as provided for in section 33-1024, Idaho Code;

(n) For advanced opportunities as provided for in section 33-~~1626~~4602, Idaho Code;

(o) For the "8 in 6 ~~P~~program" as provided for in section 33-~~1628~~4603, Idaho Code;

(p) For additional math and science courses for high school students as provided in section 33-1021, Idaho Code;

(q) For leadership premiums as provided in section 33-1004J, Idaho Code;

(r) For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of \$300 per support unit; and

(s) Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation;

to secure the total educational support distribution funds.

(3) Average Daily Attendance. The total state average daily attendance shall be the sum of the average daily attendance of all of the school districts of the state. The state board of education shall establish rules setting forth the procedure to determine average daily attendance and the time for, and method of, submission of such report. Average daily attendance calculation shall be carried out to the nearest hundredth. Computation of average daily attendance shall also be governed by the provisions of section 33-1003A, Idaho Code.

(4) Support Units. The total state support units shall be determined by using the tables set out hereafter called computation of kindergarten support units, computation of elementary support units, computation of secondary support units, computation of exceptional education support units, and computation of alternative school secondary support units. The sum of all of the total support units of all school districts of the state shall be the total state support units.

COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Units Allowed
41 or more....	40.....	1 or more as computed
31 - 40.99 ADA....	-.....	1
26 - 30.99 ADA....	-.....	.85
21 - 25.99 ADA....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
1 - 7.99 ADA....	-.....	count as elementary

COMPUTATION OF ELEMENTARY SUPPORT UNITS

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3	300 or more ADA.....	.....	.. 15
4		..23...grades 4,5 & 6....	
5		..22...grades 1,2 & 3....1994-95	
6		..21...grades 1,2 & 3....1995-96	
7		..20...grades 1,2 & 3....1996-97	
8		and each year thereafter.	
9	160 to 299.99 ADA...	20.....	8.4
10	110 to 159.99 ADA...	19.....	6.8
11	71.1 to 109.99 ADA...	16.....	4.7
12	51.7 to 71.0 ADA...	15.....	4.0
13	33.6 to 51.6 ADA...	13.....	2.8
14	16.6 to 33.5 ADA...	12.....	1.4
15	1.0 to 16.5 ADA...	n/a.....	1.0

16 COMPUTATION OF SECONDARY SUPPORT UNITS

17	Average Daily		Minimum Units
18	Attendance	Attendance Divisor	Allowed
19	750 or more....	18.5.....	47
20	400 - 749.99 ADA....	16.....	28
21	300 - 399.99 ADA....	14.5.....	22
22	200 - 299.99 ADA....	13.5.....	17
23	100 - 199.99 ADA....	12.....	9
24	99.99 or fewer	Units allowed as follows:	
25	Grades 7-12	.....	8
26	Grades 9-12	.....	6
27	Grades 7- 9	.....	1 per 14 ADA
28	Grades 7- 8	.....	1 per 16 ADA

29 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

30	Average Daily		Minimum Units
31	Attendance	Attendance Divisor	Allowed
32	14 or more....	14.5.....	1 or more as computed
33			
34	12 - 13.99....	-	1
35	8 - 11.99....	- .....	.75
36	4 - 7.99....	- .....	.5
37	1 - 3.99....	- .....	.25

COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more.....	12.....	1 or more as computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average daily attendance in such separate attendance unit. In applying the kindergarten table to a kindergarten program of less days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The attendance of students attending an alternative secondary school in a school district reporting less than one hundred (100) secondary students in average daily attendance shall not be assigned to the alternative secondary table if the student is from a school district reporting less than one hundred (100) secondary students in average daily attendance, but shall instead be assigned to the secondary table of the school district in which they are attending the alternative secondary school, unless the alternative secondary school in question serves students from multiple districts reporting less than one hundred (100) secondary students in average daily attendance. The tables for exceptional education and alternative school secondary support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

(5) State Distribution Factor per Support Unit. Divide educational support program distribution funds, after subtracting the amounts necessary to pay the obligations specified in subsection (2) of this section, by the total state support units to secure the state distribution factor per support unit.

(6) District Support Units. The number of support units for each school district in the state shall be determined as follows:

(a) (i) Divide the actual average daily attendance, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school secondary students. Calculations in application of this subsection shall be carried out to the nearest hundredth.

(ii) Divide the combined totals of the average daily attendance of all preschool, kindergarten, elementary, secondary, juvenile detention center students and students with disabilities approved for inclusion in the exceptional child program of the district by the appropriate divisor from the table for computation of exceptional education support units to obtain the number of support

1 units allowed for the district's approved exceptional child pro-
2 gram. Calculations for this subsection shall be carried out to the
3 nearest hundredth when more than one (1) unit is allowed.

4 (iii) The total number of support units of the district shall
5 be the sum of the total support units for regular students,
6 ~~subsection (6)(a) subparagraph (i) of this section paragraph,~~ and
7 the support units allowance for the approved exceptional child
8 program, ~~subsection (6)(a) subparagraph (ii) of this section~~
9 ~~paragraph.~~

10 (b) Total District Allowance Educational Program. Multiply the dis-
11 trict's total number of support units, carried out to the nearest hun-
12 dredth, by the state distribution factor per support unit and to this
13 product add the approved amount of programs of the district provided in
14 subsection (2) of this section to secure the district's total allowance
15 for the educational support program.

16 (c) District Share. The district's share of state apportionment is the
17 amount of the total district allowance, ~~subsection (6) paragraph (b) of~~
18 ~~this subsection.~~

19 (d) Adjustment of District Share. The contract salary of every non-
20 certificated teacher shall be subtracted from the district's share as
21 calculated from the provisions of ~~subsection (6) paragraph (c) of this~~
22 ~~subsection.~~

23 (7) Property Tax Computation Ratio. In order to receive state funds
24 pursuant to this section, a charter district shall utilize a school mainte-
25 nance and operation property tax computation ratio for the purpose of cal-
26 culating its maintenance and operation levy, that is no greater than that
27 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As
28 used herein, the term "property tax computation ratio" shall mean a ratio de-
29 termined by dividing the district's certified property tax maintenance and
30 operation budget by the actual or adjusted market value for assessment pur-
31 poses as such values existed on December 31, 1993. Such maintenance and op-
32 eration levy shall be based on the property tax computation ratio multiplied
33 by the actual or adjusted market value for assessment purposes as such values
34 existed on December 31 of the prior calendar year.